

Docket No.: 50229-267

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Peter Anthony CROOKS, et al.

Application No.: 09/881,215

Filed: June 15, 2001

: Customer Number: 20277

: Confirmation Number: 5136

: Group Art Unit: 1614

: Examiner: Vickie Kim

For: AGMATINE AND AGMATINE ANALOGS IN THE TREATMENT OF EPILEPSY,
SEIZURE AND ELECTROCONVULSIVE DISORDERS

RESPONSE TO OFFICIAL ACTION

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Advisory Action mailed November 1, 2004.

In the Advisory Action the Examiner withdrew the rejection of claims 5, 7, 9, 11 and 13-20 are rejected under 35 U.S.C. § 103(a) as being unpatentably obvious over Wada *et al.*, but has maintained the rejection of claims 5, 7, 9, 11, and 13-20 are rejected under 35 U.S.C. § 103(a) over Uzbay *et al.* and Rajasekaran. The Examiner states that Uzbay teaches use of 40 mg to effectively treat audiogenic seizures associated with alcohol withdrawal (in rats). The Examiner also relies on Uzbay as teaching that the therapeutic effects in rats is due to blocking NOS and the NMDA subclass of glutamate receptor channels. Rajasekaran teaches anticonvulsant activity of agmatine in the treatment of seizures due to epilepsy and that the underlying mechanism for the anticonvulsant activity is NO inhibition. The Examiner concludes therefore, that it would have been obvious to modify Uzbay's teaching in view of Rajasekaran to treat seizures due to epilepsy. Further, the